

## LEGISLATIVE BILL 1048

Approved by the Governor April 16, 2008

Introduced by Nantkes, 46; Engel, 17; Fulton, 29.

FOR AN ACT relating to birth certificates; to amend section 71-606, Revised Statutes Supplement, 2007; to provide for certificates of birth resulting in stillbirth; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 71-606, Revised Statutes Supplement, 2007, is amended to read:

71-606 (1) A stillborn child born dead shall be registered as a fetal death on a certificate form furnished by the department. Such certificate shall not be required for a child which has not advanced to the twentieth week of gestation. The certificate shall be filed with the department by the funeral director and embalmer in charge of the funeral and shall include a statement of the cause of death made by a person holding a valid license as a physician who was in attendance. In the event of hospital disposition, as provided in section 71-20,121, the entire certificate shall be completed by the attending physician and subscribed to also by the hospital administrator or his or her designated representative. If the attendant is not a physician, the death shall be referred to the county attorney for certification. The same time limit for completion shall apply as for a regular death certificate.

(2) (a) The parent of a stillborn child may request a certificate of birth resulting in stillbirth for such child, regardless of the date of filing of the corresponding fetal death certificate. The department shall provide such certificate upon request and payment of the required fee. For purposes of this section, certificate of birth resulting in stillbirth means a birth certificate issued to record the birth of a stillborn child.

(b) The person responsible for filing a fetal death certificate under this section shall notify the parent or parents of the stillborn child that such parent may request a certificate of birth resulting in stillbirth and shall provide the necessary information for making such request.

(c) The parent requesting a certificate of birth resulting in stillbirth may provide a name for the stillborn child. If no name is provided, the department shall enter upon the certificate the name "baby boy" or "baby girl" and the last name of the requesting parent. The name on the original or amended certificate of birth resulting in stillbirth shall be the same as that entered on the original or amended fetal death certificate and shall include the state file number of the corresponding fetal death certificate for such child.

Sec. 2. Original section 71-606, Revised Statutes Supplement, 2007, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.